



REPORT OF INVESTIGATION

File Number: 05-048

Agency: Department of Technical and Adult Education

Basis for Investigation: Agency Initiated

Allegations: Improper hiring practices, improper conduct, nepotism, mismanagement, abuse of position, falsification of records.

Date Opened: February 2005

Investigated By: James E. Sehorn, Inspector General
Elizabeth P. Archer, Deputy Inspector General
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Date of Report: May 10, 2005

OFFICE OF THE INSPECTOR GENERAL



EXECUTIVE SUMMARY

Department of Technical and Adult Education File Number 05-48

In February 2005, the Department of Technical and Adult Education (DTAE) contacted the Office of Inspector General (OIG) requesting assistance concerning allegations brought by a former employee, Grailyn Wells (Wells). Wells claimed that a DTAE Assistant Commissioner, Dr. Jean Devard-Kemp (Devard-Kemp), terminated him for ending a “relationship” with her sister, Dr. Audrey Fisher (Fisher), a professor at Atlanta Technical College (ATC). Additionally, Wells alleged that Fisher had misused her position at ATC by engaging in improper hiring practices and by violating ATC’s tuition refund policy. During the course of this investigation, the OIG reviewed personnel files, DTAE/ATC policies and procedures, official files and computer records. In addition, the OIG interviewed DTAE and ATC employees and other relevant individuals.

Our investigation revealed that there was reasonable cause to believe that a relationship existed between Wells and Fisher, which enabled him to get a position at DTAE. Wells was working at ATC as a security guard making \$10.00 an hour when he met Dr. Fisher in February 2003. In May 2003, Fisher’s sister, Dr. Jean Devard-Kemp offered Wells a position as a Manager in the Office of Adult Literacy. His starting annual salary was \$72,000.00. Our investigation revealed that Wells did not have the academic or managerial experience to support his hire. The OIG also identified questionable management practices by Devard-Kemp that allowed her to circumvent established DTAE policy on Recruiting and Hiring.

Our investigation revealed that there was reasonable cause to believe that Dr. Fisher engaged in improper hiring practices. It was determined that Fisher hired an instructor in January 1999, who later became her son-in-law. Our investigation revealed that Fisher never informed anyone at ATC of this relationship. It was also determined that her son-in-law did not have the requisite academic

background to teach at ATC. The OIG could not substantiate whether Fisher violated ATC's refund policy, but did find the circumstances surrounding the refund highly suspect. In addition, the OIG determined that Fisher abused her supervisory position by asking her secretary to perform her personal work using state equipment.

The OIG makes the following recommendations to the Department of Technical and Adult Education and Atlanta Technical College. The OIG requests that DTAE provide a written response regarding the implementation of these recommendations within 30 days of the issuance of this report.

1. Terminate Dr. Jean Devard-Kemp, Dr. Audrey Fisher, and Mr. Grailyn Wells.
2. Develop a better system of communication between Human Resources and Administration regarding management and employment issues. The Hiring Manager must forward all resumes of perspective employees to HR for inclusion into the recruitment file and subsequent personnel file. While management should make the initial decision regarding hires, Human Resources should check references and confirm education and employment history. Specifically, Human Resources should call references and former employers and document their findings in a memorandum. If a problem is uncovered, HR should notify the Hiring Manager immediately.
3. Develop a better system of checks and balances between Human Resources and Hiring Managers to ensure that hiring procedures are followed in a manner that does not create an impression of favoritism or preferential treatment. In addition, all new hires should be required to sign a sworn statement confirming that the new hire is familiar with the Department's anti-nepotism policy and that, to their knowledge, the new hire is not related to anyone within the Department. This statement should be included in the personnel file.
4. Require official academic transcripts for both hourly and salaried employees. This should be an absolute requirement given that this is an academic Department. It is imperative that all new hires are fully qualified and certified to perform their job duties.
5. Require perspective employees, whether hourly or salaried, to provide official academic transcripts to HR. This will confirm professional education as referenced on the applicants' resume and/or state application. The agency should not accept copies of transcripts without official seals.
6. Require Hiring Managers to provide HR with documentation in support of an applicant's qualifications before being hired. Job descriptions should be prepared and filed prior to the interview of any candidate.

7. Develop better communication between the Business Office and the Registrar's office. Specifically, if either detects potential irregularities in student accounts, there is an inherent duty to work together to resolve the issue.
8. Require all technical school employees to be knowledgeable of and comply with catalog rules and established policies to ensure effectiveness and performance accountability.
9. Remind all employees of the state's policy on the "Appropriate Use of Information Technology Resources" (Reference GTA Policy Number 3.1.3). In addition, employees may not conduct private or personal for-profit activities using state facilities or equipment.



Report of Investigation

File No. 05-048

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SUMMARY OF ACTIONS

05-048

I. BASIS FOR INVESTIGATION

In February 2005, the Department of Technical and Adult Education (DTAE) contacted the Office of Inspector General (OIG) requesting assistance concerning allegations brought by a former employee, Mr. Grailyn Wells (Wells). Wells claimed that a DTAE Assistant Commissioner, Dr. Jean Devard-Kemp (Devard-Kemp), terminated him for ending a “relationship” with her sister, Dr. Audrey Fisher (Fisher), a professor at Atlanta Technical College (ATC). Additionally, Wells alleged that Fisher had misused her position at ATC by engaging in improper hiring practices and by violating ATC’s tuition refund policy. During the course of this investigation, other matters arising from Wells’ initial allegations were discovered and will be addressed in this report.

II. ACTION TAKEN IN FURTHERANCE OF INVESTIGATION

In the process of investigating this complaint, the OIG reviewed personnel files, DTAE/ATC policies and procedures, official files and computer records. The OIG also interviewed DTAE and ATC employees.

III. NARRATIVE

Background

For purposes of this report, the OIG will address the allegations involving DTAE first and then address the allegations related to ATC.

The State Board of Technical and Adult Education is responsible for establishing standards, regulations and policies for the operation of DTAE. DTAE oversees the state’s 34 technical colleges, economic development programs and adult literacy education programs. The department has four divisions: Administrative Services, Technical Education, Quick Start and Adult Literacy.

Dr. Devard-Kemp has served as the Assistant Commissioner of the Office of Adult Literacy since 1988. The Office of Adult Literacy promotes and provides adult basic education and literacy programs, including the General Educational Development Testing program that awards GED diplomas. It is also the largest adult literacy provider for other state agencies and facilitates collaboration among state and local entities to improve literacy efforts for adults.

The complainant, Mr. Grailyn Wells, joined DTAE in May 2003 as a full-time hourly employee, earning \$34.61 per hour (\$72,000.00 annually). His official title was Manager of Research and Development in the Office of Adult Literacy. Prior to his hire at DTAE, Wells was a security guard at ATC earning \$10.00 an hour.

Two months after starting at DTAE as an hourly employee, Devard-Kemp moved Wells to a salaried position within the department. His salary and title remained the same. In February 2004, Devard-Kemp demoted Wells and transferred him to another division in the Office of Adult Literacy. On January 26, 2005, Devard-Kemp terminated Wells. During his exit interview, Wells brought his allegations. He is currently on administrative leave with pay pending our investigation. As of March 28, 2005, Wells had earned over \$114,000.00 at DTAE.

Interview with Grailyn Wells

On February 11, 2005, the OIG met with Wells to discuss his complaints. Wells stated that Devard-Kemp terminated him because he ended a romantic relationship with her sister, Dr. Audrey Fisher. Wells stated that while employed as a security guard at ATC, he met Fisher, who is the Director of the Evening Program at ATC. Wells stated that he became involved in a relationship with Fisher in February 2003, and ended the relationship a month before Devard-Kemp terminated him.

Wells claimed he met Devard-Kemp in May 2003, in Jacksonville, Florida. He stated that after discussing with Devard-Kemp his intention to marry Fisher, she offered him a position at DTAE. A review of Devard-Kemp's leave requests indicated that she was on annual leave during the time Wells claimed she offered him the position. A review of Wells' bank statements indicated that he used his debit card at various gas stations in Jacksonville during the same period. Wells has no family that lives in Jacksonville. However, Jacksonville is Devard-Kemp's hometown.

According to Wells, Devard-Kemp called her assistant, Marion Delaney Harris, and instructed her to send Wells a letter documenting her offer. Wells admitted that although he did not have the managerial or academic experience required for the job, the offer was like "Christmas in July, and I wasn't going to turn down the money." Our investigation revealed that Ms. Harris, sent Wells a letter, dated May 5, 2003, offering him a managerial position on Devard-Kemp's behalf.

Wells claimed that he did not submit an application for employment, nor did he go through a recruitment process. According to Wells, Devard-Kemp told him to submit a resume to personnel to have something in the file. A review of Wells' resume in his DTAE personnel file indicated that he had an extensive background in academics, specifically in the area of Adult Literacy. It also indicated that he had a Post Baccalaureate Degree in Computer Sciences from Austin Peay College. Under the section in the resume titled "Work Experience," Wells claimed he worked for the following organizations:

- 1) City of Atlanta as an Educational Leadership Consultant
- 2) Payton-Stewart Consulting Firm
- 3) Southeastern Effective Schools, Inc. as a Educational-Research Coordinator
- 4) Boston Public Schools Leadership Program

- 5) Shinall and Associates as a Professional Development Administrator
- 6) Morris Brown College as an Adjunct Professor in the Education and Psychology Division
- 7) Fulton County Sheriff's Department.

When presented with the resume, Wells stated, "This isn't the resume I gave Audrey (Fisher). I never worked at any of these places or for any of these people." According to Wells, the only information that was accurate on his DTAE resume was that he was a former Fulton County Deputy Sheriff and a pilot. Wells recalled giving Fisher his standard law enforcement resume, which was not the resume in his DTAE personnel file, because she wanted to "work on it." Wells claimed that Fisher gave him a resume in a sealed envelope and instructed him to submit it to personnel. When asked why he did not review the resume before submitting it to personnel Wells stated, "Why, I already had the position."

When the OIG reviewed Wells' personnel file from Fulton County and Dalton Security, we discovered that the resumes Wells submitted to both entities were identical, in that they reflected his aviation and law-enforcement background only. Under previous work experiences, Wells indicated that he worked as an airline pilot, a Fulton County Deputy Sheriff and a security guard. The OIG found no documentation in either file indicating an adult literacy background. A subsequent request to Austin Peay College confirmed that Wells received a Bachelor's Degree in August 1972, in psychology. However, there was no record of Wells receiving a Post Baccalaureate Degree in Computer Information Systems as stated on the DTAE resume.

Our investigation further revealed that the references listed on his DTAE resume were Fisher's daughter, Rhonda Jordan (Jordan), her son-in-law, John Earl Shinall (Shinall), and her friend, Lucretia Payton-Stewart. In verifying Wells' past work experience as stated on his DTAE resume, the OIG learned that Fisher was the owner of The Southeastern Effective Schools, Inc. The registered agent for the company was her daughter, Rhonda Jordan. However, the OIG could find no listing for Shinall and Associates in the White Pages, Internet or the Secretary of State's website.

Wells stated that for the first couple of months at DTAE he sat in his office with "nothing to do." He claimed he received no instruction from Devard-Kemp as to what his job duties were nor did he receive any managerial training. Wells claimed that he rarely interacted with other employees, even though his job description required him to supervise subordinate employees. He stated that Devard-Kemp "forbid" him to interact with other professionals in the field of Adult Literacy for fear that they would find out "how little he knew." According to Wells, Devard-Kemp told him that if asked about his background, he was to state that he was from the Governor's office in California or something of that nature. He was also not to discuss his relationship with Fisher.

On July 3, 2003, Devard-Kemp moved Wells to a salaried position within the Office of Adult Literacy. His annual salary and title remained the same. His

effective start date was July 1, 2003. Wells stated that shortly after becoming salaried, he moved in with Fisher. According to Wells, Fisher instructed him not to use her address on any DTAE paperwork, "so as not to raise suspicion." Instead, Fisher instructed him to use her daughter's, Rhonda Jordan, address. According to Wells, all other personal mail went to Fisher's address.

Our investigation revealed that on July 1, 2003, Wells submitted a Personnel Action Request form changing his Henry County address to Jordan's Jonesboro address. Devard-Kemp signed off on this request in July 2003. Our investigation also revealed that Jordan's address appeared on Wells' paychecks and various insurance forms from July 2, 2003 to February 30, 2004. Our investigation further revealed that Wells received his personal mail, such as bank statements and bills, at Fisher's residence during the same period.

During the course of his interview, Wells provided us with the following documentation in support of his allegation that he was living with Fisher.

1. A copy of his Georgia Driver's License with Fisher's home address.
2. Bank statements with Fisher's home address.
3. A United States Postal Change of Address Confirmation Statement changing his address to Fisher's with a start date of July 23, 2003.
4. A City Movers' receipt that showed he moved furniture from his address to Fisher's on July 27, 2003.
5. Payment for cable service for Fisher's address.
6. A receipt for a computer delivered to Fisher's address in October 2003.

Wells stated that when he moved in with Fisher, she informed him that he had to pay \$1500.00 a month for rent. According to Wells, Fisher told him that this was the agreement that she had worked out with Devard-Kemp to offset his substantial salary increase. Wells claimed that he and Fisher eventually settled on \$1200.00 a month. Wells presented us with eleven cancelled checks totaling \$8200.00. The checks, each made out to Fisher and Titan Construction, were dated the 15th of each month. Fisher endorsed the back of all eleven checks.

Our investigation revealed that Titan Construction is a Domestic Profit Company registered with the Secretary of State. The registered CEO is Fisher.

According to Wells, his problems with Devard-Kemp began when he moved out of Fisher's residence in January 2004. Wells claims that although he moved out they continued their personal relationship. He provided us with a copy of a mover's receipt indicating he had furniture and other items moved from Fisher's address to a Henry County address on January 17, 2004. Wells stated that he also officially changed his address with DTAE's Division of Human Resources (HR). A review of Wells' personnel file indicates that HR received his request on February 23, 2004.

On the same day that Wells changed his address with HR, Devard-Kemp demoted him and transferred him to the GED Division as a Distance Learning Specialist. Because of his transfer, Wells received a \$20,000.00 pay cut, reducing his annual salary to \$52,000.00. Wells stated that he was “okay with it since it was still more money than what I was making as a security guard.” However, Wells stated that his transfer was a surprise to him because he never received a performance review from Devard-Kemp while in Adult Literacy. Wells believed that his demotion was in retaliation for moving out of Fisher’s residence.

During a review of Wells’ personnel file, the OIG found no documentation detailing the reason for his demotion. The only information in his file was a Personnel Action Form stating that the demotion was voluntary. The OIG also could not locate any performance reviews or progressive disciplinary reports on Wells for the period he worked at the Office of Adult Literacy (July 2003 to January 2005).

Wells stated that after his transfer to GED, he rarely interacted with Devard-Kemp. His immediate supervisor was Kim Lee. Wells stated that his primary job in GED was to coordinate the online GED program with McGraw Hill Publishing Company and the other technical colleges. He stated that he had some difficulties in performing some of his assignments, because he had no experience using Excel and Quatro. He stated in order to find his “niche,” he enrolled in computer courses offered through the Georgia Merit System.

Our investigation revealed that Wells successfully completed six computer courses, including Intro to Access and Excel 2000-Level 1, while in the GED division.

Wells claimed that he and Fisher ended their relationship officially in December 2004. On January 26, 2005, Devard-Kemp terminated him. Wells stated that the only reason provided to him by HR was that Devard-Kemp no longer needed his services. The OIG found no documentation in Wells’ personnel file supporting his dismissal.

Interview with Debie Younginer, HR Director for DTAE

Based on the information provided by Wells, the OIG requested Wells’ recruitment file from HR. His file could not be located. Our investigation revealed that this violated DTAE’s policy on Records Retention, which requires that the Human Resources Representative retain all records of the search and selection process for a period of three years. Since Wells was hired in May 2003, HR should have had a copy of his recruitment file.

The OIG was also unable to locate Wells’ State of Georgia employment application as required by DTAE’s “Offers of Employment” policy. The policy states that offers of employment are conditional upon completion and review of a signed application form. Debi Younginer, DTAE’s HR Director, informed us that she had searched her records and could not locate a state application on Wells.

She stated that she did not know if Wells had completed an application or if it had been removed from his file.

The OIG asked Younginer if Devard-Kemp provided her with notes of her interview with Wells as required by DTAE's hiring policy. Younginer stated, "It was highly unlikely that any existed since Wells was hired as an hourly employee." According to Younginer, many of the hiring managers do not retain their notes from hourly hires, even though the policy does not make a distinction between hourly and salaried positions. She stated that it was not uncommon for Devard-Kemp to hire hourly employees, and make them salaried three months later.

When asked if Devard-Kemp asked her to verify Wells' references and past work experience, Younginer stated that Devard-Kemp "has never asked HR to do a reference check on any of her hires." Younginer stated that HR only checks references when specifically requested by the Hiring Manager, who in this case, was Devard-Kemp. According to Younginer, DTAE's hiring policy allows either the Hiring Manager or HR to perform employee reference checks. When asked what safeguards were in place to prevent a Hiring Manager from circumventing policy, Younginer replied, "I have to believe that someone in that high of a position is going to follow policy. It is not my responsibility to go behind a Hiring Manager and double-check their hires. Not to mention, everybody does what they want here anyway, they never listen to HR."

The OIG asked Younginer if Devard-Kemp had informed her of the reason why she terminated Wells. She stated that Devard-Kemp only informed her that Wells was not "working out." According to Younginer, Devard-Kemp did not elaborate on what she meant. However, **after** Wells made his allegations to DTAE Commissioner Michael Vollmer, Devard-Kemp informed her that she had "some notes she wanted to put in his file on why [she] terminated him." Devard-Kemp also informed Younginer that although she knew Wells through her sister, Audrey Fisher, "it was not a relationship like Wells claimed." Younginer stated that in the year-and-a-half that Wells worked for DTAE, Devard-Kemp never mentioned that she knew Wells through Fisher.

Interview with Mary Woodruff, DTAE Personnel Officer

On March 4, 2005, the OIG interviewed Mary Woodruff, Personnel Officer with DTAE. Woodruff recalled Devard-Kemp contacting her in May 2003, stating "I've got somebody I want to put on hourly." Woodruff stated that Devard-Kemp did not provide any explanation concerning how she knew Wells or how she found him as a prospective employee. According to Woodruff, Devard-Kemp would hire hourly employees and move them to salaried position a couple of months later. Woodruff stated, "It's what [Devard-Kemp] always does."

Woodruff recalled that in July 2003, Devard-Kemp asked her to write a job announcement when Wells went to a salaried position. Woodruff stated that it was difficult to write because, "He did not seem qualified because he had no adult

education experience in his background.” Woodruff stated that unlike other Hiring Managers, Devard-Kemp did not work with her in creating the job announcement.

Woodruff posted the announcement on different floors within DTAE headquarters in compliance with the recruitment policy. She also recalled creating a recruitment file on Wells, because she remembers writing “G. Wells” on the outside of the file. However, at the time of our interview, Woodruff could not locate this file. When asked about Wells’ employment application, she stated that he was supposed to complete an application, but could not recall if one was done. Our investigation revealed that Devard-Kemp offered Wells the position on July 1, 2003, three days before the actual posting.

When asked if Devard-Kemp asked her to verify Wells’ work experience, Woodruff stated, “HR only checks references when the Hiring Manager asks them to do so.” According to Woodruff, when an hourly employee is moved to a salaried position, references “are checked only if the Hiring Manager does it.” Woodruff could not recall doing a reference check on anyone hired by Devard-Kemp during the time she has worked at DTAE.

During her interview, Woodruff stated that Devard-Kemp contacted her regarding the OIG investigation. She stated, “JDK (Devard-Kemp) has asked me repeatedly if the IG has interviewed me. She has called me at least twice a week for the last couple of weeks and even at home.” She stated that Devard-Kemp told her that she had “no idea about Wells and her sister and their relationship problems.”

Second Review of Grailyn Wells’ Personnel File

During a subsequent review of Wells’ personnel file on March 8, 2005, the OIG discovered a photocopy of some notes regarding his termination, which were not in the file at the time of initial review. The notes, purportedly written by Devard-Kemp, outlined the reasons for Wells’ dismissal. They were dated from May 2003 to January 2005. The OIG contacted Younginer and asked her when Devard-Kemp gave her the notes to place in Wells’ file. She stated that they appeared in her “in basket” at the end of February 2005. When asked if she had the notes at the time of her OIG interview, she stated that they appeared after her interview. According to Younginer, Devard-Kemp did not inform her that the notes were in her basket. Younginer claims it was the first time she had seen anything on paper concerning his dismissal. She stated that when she reviewed the notes, she found it strange that they were dated from the time of hire to the day of Wells’ termination. Younginer believed Devard-Kemp was trying to capture her memory after the fact.

Interview with Kim Lee, GED Director, Office of Adult Literacy, DTAE

On February 15, 2005, the OIG interviewed Kim Lee (Lee), Statewide Director for the GED program at DTAE. Lee was Wells’ supervisor when he was in the GED division. When asked if she knew why Devard-Kemp sent Wells to her

division, Lee recalled that at the time she needed someone to run the GED online program. Lee stated when she met with Devard-Kemp to discuss hiring someone with a background in both Instructional Design and Adult Curriculum, Devard-Kemp informed her that Wells would be running the program. Lee stated that there was “no discussion, it was a directive. It is just like everyone else that she dumps on me. You don’t disagree with Devard-Kemp.”

According to Lee, Wells was in charge of assigning seats to the colleges for the online program. She stated that although the job was not difficult, Wells had problems in performing the basic tasks because of his limited computer skills. However, she did not share this information with Devard-Kemp.

The OIG asked Lee why Wells did not receive an evaluation during the time she supervised him. Lee stated that before working on a performance plan with Wells, she contacted HR to get a copy of his previous performance evaluation. However, HR informed her that one did not exist. Lee called Devard-Kemp and asked if she had a copy of Wells’ evaluation. According to Lee, Devard-Kemp stated that she did not do one on him and instructed Lee “to go ahead and do one now.” Lee stated she told Devard-Kemp that she was uncomfortable filling out an evaluation on Wells because she had not previously supervised him.

Lee stated that in January 2005, Devard-Kemp informed her that she was dismissing Wells. Devard-Kemp did not elaborate as to the reason. According to Lee, she was present with Devard-Kemp when she spoke to Commissioner Vollmer regarding terminating Wells. Lee stated that Devard-Kemp informed Commissioner Vollmer that she needed to let someone go in her division and that she could reassign their duties to someone else. According to Lee, Devard-Kemp never mentioned Wells’ work performance as a reason for his termination when she spoke to the Commissioner.

When asked if Lee ever discussed Wells’ work performance with Devard-Kemp, Lee stated that she never had a “negative” discussion with Devard-Kemp about Wells. Lee stated that **after** Wells made his allegations to the Commissioner, Devard-Kemp called her at home and asked her if she had any notes concerning problems she had with Wells while in her division. According to Lee, she had no notes.

Lee stated that in the time that Wells worked at DTAE, Devard-Kemp never mentioned that she knew Wells through Fisher. However, later Devard-Kemp told her that she met Wells through her sister, but that she was unaware of any relationship they may have had when she hired him. Lee also stated that Devard-Kemp contacted her about the status of our investigation. According to Lee, Devard-Kemp wanted to “know the types of questions the IG was asking, because she wanted to be prepared.”

Interview with Dr. Jean Devard-Kemp, Assistant Commissioner, Adult Literacy, DTAE

On March 23, 2005, the OIG met with Devard-Kemp at DTAE to discuss the allegations made by Wells. She stated that Wells called her in the spring of 2003 inquiring if there were any positions available in Adult Literacy. At the time, no positions were available, but she advised him to contact her later. When asked how Wells got her direct number, she stated that Wells got her information off the web. She also stated that it was common for people to call her directly seeking employment. When asked if she had been in Jacksonville, Florida during the first week in May 2003, Devard-Kemp stated that she could not remember specifically being in Jacksonville during that time. However, she recalled traveling back and forth to Jacksonville during that period to visit her sick brother.

According to Devard-Kemp, Wells called back in April 2003. He informed her that he had an extensive background in computers and was looking for a job. At the time, she needed someone with his background and agreed to meet with him. She claimed that he never mentioned that he knew Fisher during either conversation.

According to Devard-Kemp, she was “impressed” with his computer background, and offered him a position in the department as a Manager. When asked why his position was hourly, instead of salaried, she replied, “I wanted to see if he was management material. I bring in a lot of people as hourly, and if they don’t work out I let them go.”

Devard-Kemp admitted that she did not verify Wells’ work experience before offering him the position. She claimed that it was not her job, but HR’s job to verify Wells’ credentials. When informed that HR claimed it was her responsibility, she stated that she could not remember checking “too much on him.” However, she recalled asking Fisher about Wells. When asked why she contacted her sister, she stated, “Wells did some computer work for her, and she was happy with how it turned out.”

When presented with the resume that was in Wells’ personnel file, Devard-Kemp stated, “It was not the resume he gave me during his interview.” When provided with a copy of Wells’ law enforcement resume, she stated that she could not recall which resume “she looked at.” However, she recalled that the resume she looked at indicated he had a background in academics.

Devard-Kemp also recalled that Wells worked with Shinall and Associates, an organization she had used on “various occasions in the past.” However, she admitted that she did not verify with John Shinall whether Wells worked for him as a Professional Development Administrator. Devard-Kemp stated the reason she did not contact Shinall was because Shinall had many associates and she could not recall, “Who Wells said he worked for.” When asked if she was related to Shinall, Devard-Kemp stated, “Related. No. Not related.” However, later in her interview, she admitted that her niece, Rhonda Jordan, was married to Shinall.

She also recalled that Wells worked for Fulton County in the education area. When asked if she verified with Fulton County, she stated, "No I didn't check that. I didn't check with Fulton County or any of that stuff." She also admitted that she did not contact any of the references listed on Wells' resume.

Our investigation revealed that Devard-Kemp's failure to contact any of Wells' references was in violation of DTAE's Reference Check policy. The policy states the following:

Satisfactory reference checks are a condition of employment. The individual in charge of the search, usually the Hiring Supervisor, is responsible for verification of the applicants' educational and employment background and credentials. Prior to making an offer, the Hiring Supervisor **must contact** at least two of the applicants' references, one of which should be current supervisor if possible.

When asked if she kept any notes regarding her interview with Wells, Devard-Kemp stated, "I never keep copies on anyone that I bring in as hourly. I've never had a problem of anybody not having a degree or not having anything." When informed that Wells did not have a Post Baccalaureate Degree in Computer Sciences nor did he work for any of the organizations listed on his resume, she stated, "You are kidding me. Was he even a pilot?" When asked why she would hire someone without checking their background she stated, "He just sold himself well. He was so articulate. He was just so great."

According to Devard-Kemp, as the months progressed, she realized that Wells was not management material. She stated that she had problems with his assignments, because he did not "understand the terminology of the department and just wasn't a good fit." She stated that she documented "all this in her notes." When asked why her notes were not in Wells' personnel file at the time Wells made his initial allegations, she stated, "I gave them to HR."

According to Devard-Kemp, she started documenting Wells' "problems" in May 2003, and continued to document the purported problems through January 2005, when she terminated him. When asked why she made him salaried in light of his "problems," she stated, "I was trying to give him the benefit of the doubt. You know we all make mistakes and that's one of my horrible [ones]."

When asked why Wells did not receive a performance evaluation while at DTAE, Devard-Kemp stated, "It was a matter of timing and he was just too new." However, she claimed that she had numerous verbal evaluations with him about his work performance. When asked why she did not document her problems with him using progressive disciplinary reports, she stated, "I don't think I've done a progressive report, maybe some other managers do, but I have not." She stated that during her last conversation with him, he asked her to work with him.

She stated that because of his background in computers she thought he would be better suited in the GED division. Devard-Kemp stated that after Lee came to her

in January 2005, expressing dissatisfaction with Wells' work and stating that any clerical person could do his job, she realized she "had to let him go."

When asked if Wells had a relationship with her sister, Audrey Fisher, she replied, "To my knowledge he was never her boyfriend." Devard-Kemp stated that she was close to her sister and would have known if there was a romantic relationship between Fisher and Wells. She intimated that the circumstances regarding his termination were coincidental. When presented with the documentation the OIG discovered during the course of the investigation, she appeared surprised, and stated, "You need to ask her about that stuff."

Atlanta Technical College (ATC)

During our interview with Grailyn Wells, he provided information concerning how Audrey Fisher "misused" her position at ATC. Specifically, Wells stated that Fisher hired her son-in-law, John Shinall, to teach English at ATC knowing that he was not qualified, and that ATC personnel were not aware of their familial relationship. Wells stated that Fisher had also "fixed some paperwork in the Registrar's office," which enabled her grandson to get a tuition refund in violation of ATC policy. Finally, he informed the OIG that Fisher used ATC monies to procure electronic items, including a Palm Pilot and an Apple I-Pod, for her personal use. Because of his allegations, the OIG expanded its investigation.

Interview with Alvetta Thomas, Vice-President of Instructional Services, ATC

On March 2, 2005, the OIG met with Dr. Alvetta Thomas, Vice-President of Instructional Services. Thomas is Fisher's supervisor at ATC. Thomas stated that Wells called her in January 2005 and informed her that he wanted her to know some things about Fisher before it hit the press. According to Thomas, Wells informed her that Fisher hired her son-in-law, John Shinall, to teach at ATC, even though he was not qualified. Additionally, Wells stated that Fisher had orchestrated an illegal tuition refund on behalf of her grandson, Devon Jordan (D. Jordan). Thomas stated that Fisher never mentioned to her that Shinall was married to her daughter, Rhonda Jordan.

Thomas stated she did not confront Fisher after receiving Wells' allegations, because she knew that she was "going to look into the matter and didn't want to compromise the investigation by hearing her side of the story first." However, shortly after receiving Wells' call, Fisher approached her to discuss the matter.

Fisher told Thomas that there was a gentleman that her sister had fired who was making all kinds of wild allegations and that none of it was true. Fisher further stated that she met "this gentleman" at ATC when he worked as a security guard. She stated that she was only "trying to help him, and that she never lived with him, but did allow him to store furniture in her garage." Fisher stated that she did not understand why "this man was doing this to her, [when] she was only trying to help him." Thomas stated that Fisher was extremely agitated throughout the conversation. According to Thomas, Fisher never referred to Wells by name.

When asked about the circumstances of Shinall's hire, Thomas stated that at the time of his hire, Fisher was the acting chair of the Department and had the authority to hire adjunct professors for the evening program. Fisher informed her that she was hiring a group of people that were certified to teach. When asked who had the responsibility to verify Shinall's credentials, Thomas stated that it was Fisher's responsibility.

Thomas stated that after she received Wells' allegations, she reviewed Shinall's personnel file and academic transcripts. Thomas stated that upon review it was apparent that Shinall lacked the requisite academic background to teach at ATC. Specifically, that Shinall did not have the requisite eighteen hours or more in the specific subject areas he was teaching at ATC.

Interview with Brenda Jones, President, ATC

On March 3, 2005, the OIG spoke with Brenda Jones, President of ATC, regarding a conversation she had with Fisher. Jones stated that she also received a call from Wells. Because of the nature of his allegations, she summoned Fisher to her office. According to Jones, when Fisher arrived she was extremely agitated. Fisher came in to the office stating that she was "pissed, really really pissed." Jones told Fisher that she had received a call from Wells, but could not go into detail because she was going to "have to look into his allegations." According to Jones, Fisher stated, "I'll fight him if I have to and there was no love there." Jones recalled that when Wells worked at ATC, he was "forever hanging out" in Fisher's office. When she questioned Fisher about it, she was told that he liked her secretary, Jewel Kennedy.

Background on John Earl Shinall

During the course of our investigation, the OIG learned that Shinall is a full-time Physical Education and Health instructor at a Middle School in Dekalb County. He has been in that position for the last twenty-one years. In December 1998, Shinall sent Fisher a letter seeking a position as an Adjunct Professor in the Evening Division Program at ATC. In his letter, Shinall claimed he was proficient in the areas of English, math and psychology. Fisher hired Shinall in January 1999. Shinall taught approximately seventy courses from January 1999 to March 2003 and earned \$76,000.00. A review of the resume in his personnel file at ATC indicated he received a Master's Degree in Mathematics and Sports Administration from Jackson State University in 1972, and a Bachelor of Science Degree in General Education from Jackson State University in 1970. A photocopy of an Educational Specialist Degree (Ed.S) transcript from Jackson State was also in his file. However, Shinall did not indicate on his resume that he received an Ed.S from Jackson State.

In reviewing Shinall's official academic transcripts from Jackson State University, the OIG learned that Shinall received a Bachelor of Science in Health and Education in 1970 and a Master of Science Degree in Sports Administration

in 1978. There was no record of Shinall receiving an Ed.S degree. A subsequent request to Jackson State University by Joni Williams, Special Assistant to the President at ATC, revealed that the Ed.S transcript in his file was a fraud.

Under the section in Shinall's ATC resume titled "Overview of Successful Work Experience," Shinall indicated that he worked for the following organizations:

- 1) Administration and General Education/Instruction, Dekalb County School System, 1983-present.
- 2) Adjunct Psychology Professor, Dekalb County Community College, 1980-83.
- 3) Assistant Professor, Teacher Education (Psychology Division), Morris Brown College, 1981-1984.
- 4) Consultant Massachusetts Institute of Technology (no specific date given).

However, in a resume Shinall provided to the Dekalb County School System in March 1984, Shinall did not indicate that he worked for the above organizations. On his Dekalb resume, Shinall indicated that from 1972 to 1984 he was an Assistant Basketball Coach, Head Tennis Coach and a Health and P.E. Instructor at Jackson State University in Mississippi. Our investigation also revealed that Shinall used Fisher's address twice in 1995 and in December 1998, on his Dekalb County W4 forms. He also used her address in May 1999, when he renewed his Georgia Educator Certificate and again in February 1999, when he requested a transfer. The OIG could find no records in his Dekalb personnel file indicating that he taught any other disciplines.

Resume Similarities

In reviewing resumes belonging to Wells, Fisher and Shinall, the OIG discovered similarities in their work experiences, format and references. Both Fisher and Shinall indicated that they were consultants at Massachusetts Institute of Technology (MIT). A request to MIT revealed no records of Shinall working as a consultant. Fisher, Shinall and Wells indicated that they taught at Morris Brown University as Adjunct Professors of psychology. Both Fisher and Shinall indicated that they taught during the same period. Morris Brown has no record of Shinall teaching psychology. Both Fisher and Shinall indicated that they taught at Dekalb Community College in the area of psychology. Dekalb Community College had no records of Shinall teaching psychology.

Interview with John Earl Shinall

On April 28, 2005, the OIG conducted a telephone interview with Shinall regarding his employment at ATC. When informed that the OIG had a copy of his resume, he stated, "I never submitted a resume to ATC." When asked who submitted a resume on his behalf, he replied, "I don't know. I've never seen my personnel file, I don't know how it got in there." He stated that the only document that he recalled "filling out" was an application for employment. When

informed that the same information on his application was also on his resume, he stated, "Since I can't see the document you are talking about, I can't recall what I put on my application. That doesn't even sound like me." It should be noted, that Shinall was afforded the opportunity to speak to the OIG and review any documents in person, but declined.

Shinall stated that he did not have a Master's in Mathematics or an Ed.S Degree. He stated that he received a Master's in Sports Administration from Jackson State. When informed of the Ed.S transcript contained in his personnel file, he stated, "You know schools don't always send the right ones." When asked if he taught at Morris Brown in the Psychology Division, he stated, "No, I didn't teach psychology there, I taught P.E." When asked if he taught at Dekalb Community College from 1981-1983 in the Psychology Division, he stated, "I didn't even live here then, why would I say I taught there?" He also could not recall working as a MIT consultant. When informed that he would not have been able to teach at ATC with his background, he stated, "I just taught what I was told to teach, I didn't ask for those classes."

When asked if Fisher hired him, Shinall stated, "Someone in personnel hired me. I didn't even know Fisher." However, he could not recall who hired him in personnel. He also denied sending Fisher a letter in December 1998 seeking employment at ATC. When asked about the inconsistencies in the addresses he used on his personnel paperwork at Dekalb County and ATC, he stated, "I was going through some problems, and I didn't want my sister looking at my mail, that's why I used Dr. Fisher's address."

When asked about "Shinall & Associates," he stated that he owned the business "a long time ago." However, he could not recall what he did there or who may have worked for him. When asked if Grailyn Wells worked for him, he replied, "No, but I know him. He was a security guard at ATC."

When asked if he was aware of a relationship between Fisher and Wells, he stated, "I knew they hung out, but I didn't know they were going together." He confirmed that on several occasions Wells had accompanied Fisher to Jacksonville, Florida. He also stated that Wells had been to his home with Fisher. When asked why Wells would have received mail at his home, Shinall stated, "I don't know why."

Tuition Refund

On May 13, 2004, Dr. Audrey Fisher's grandson, Devon Jordan, registered online for a course at ATC. On June 1, 2004, his tuition was paid by check. On July 26, 2004, D. Jordan withdrew from ATC. On August 6, 2004, a Request for Refund was submitted on D. Jordan's behalf signed by his grandmother, Dr. Fisher, and his mother, Rhonda Fisher Jordan. In the section titled "Reason for Refund," D. Jordan indicated having a "serious illness." On August 11, 2004, the refund was approved and D. Jordan received a check for \$371.00. Our investigation revealed

that this was in violation of ATC's Refund Policy. ATC's policy states the following:

All tuition and fees, excluding the application fee, shall be refunded if a student formally withdraws prior to the first day of class of any quarter. For all those students not receiving federal financial aid, seventy-five percent of their tuition shall be refunded if they formally withdraw within seven (7) consecutive calendar days of the first day of the quarter. Students withdrawing after seven (7) days shall receive no refund.

Interview with Arlene Clark, Head Registrar, ATC

On March 2, 2005, the OIG interviewed Arlene Clark (Clark), Head Registrar at ATC. Clark stated that after researching the system she learned that an employee in the Admissions Division had inaccurately entered a code on the Banner computer system that enabled D. Jordan to receive a tuition refund. Clark stated that the employee, Caroline Terry (Terry), had no documentation to support the transaction. Clark could also find no medical documentation to support D. Jordan's statement of "serious illness."

When asked how Terry was able to access the system, Clark stated that both the Admissions and the Registrar's offices were trained on the Banner system. She also stated that Admissions "sometimes helps out" during the first two days of registration, "but on a very limited basis." However, Terry should have not been accessing the system that late in the term. Clark stated that after the registration period is over, only the Registrar's Office should process withdrawals. When the OIG spoke with Terry about the refund, she stated that she could not recall the details of the transaction.

Related Matters

During the course of the investigation, the OIG received information that Audrey Fisher's secretary, Jewel Kennedy, may have been conducting a tax business while on state time. With the help of the Georgia Technology Authority, the OIG confiscated Kennedy's computer. In reviewing her computer hard drive, the OIG discovered a file folder titled "Audrey Fisher." The folder contained, among other things, contracts for Titan Construction and various saved e-mails sent by Fisher. Under a file folder titled "Jewel Kennedy" the OIG found tax documents under the name J.P. Kennedy and Associates.

Interview with Jewel Kennedy, Secretary to Dr. Audrey Fisher, ATC

When questioned about Fisher's personal documents on her state computer, Kennedy stated that Fisher "is not good with computers. That is why she would have [me] type and prepare various documents." According to Kennedy, Fisher would handwrite what she needed done and then submit it to Kennedy at work. At times, she would also do work for Fisher's family members. Specifically, she

typed Rhonda Jordan's dissertation as well as scholarship applications for Fisher's granddaughter. Kennedy stated that Jordan would pay her for her services.

Kennedy claimed that before typing Fisher's personal work, she would complete her ATC work assignments. Kennedy recalled that she typed many of the documents during her lunch break and sometimes before and after work. She stated that Fisher would also pay her for the work she did for her.

Kennedy stated that Fisher had her type contracts and business proposals for her company, Titan Construction. Kennedy recalled a particular instance, when Fisher had her prepare a letter verifying that her brother worked for Titan Construction. Kennedy stated that she knew the information was false, because Fisher's brother did not live in the area or work for Titan Construction. During her interview, Kennedy remarked, "Everybody gets a job at Titan."

Kennedy stated that "from time to time" she would get annoyed when Fisher had her do work that she knew "wasn't above board." She would often remark to Fisher that many of the things that she asked her do were not "ethically right," such as deleting documents from her computer. However, since Fisher was her supervisor and she needed her job, "I felt as though I had to do things I was asked."

When asked if she prepared a resume for Grailyn Wells, Kennedy stated that Fisher gave her a handwritten resume on Wells when he was looking for work at the airport. The OIG showed Kennedy a copy of Wells' DTAE resume. After reviewing his resume, Kennedy stated, "It doesn't look like my work. I think I would have remembered all this academic stuff, given that he was a security guard. But I can't be sure, it was so long ago." When presented with Shinall's resume, she stated, "This looks like my work." However, Kennedy stated that she "really couldn't be sure, because all her resume work was on her old state computer." Our investigation revealed that Kennedy's previous computer was sent to surplus.

When asked about the tax documents on her computer, Kennedy stated that she did "taxes on her free time." She recalled doing tax work for "approximately five people, including friends and family" on her state computer. She stated that Fisher was aware of her business.

When asked if she had any information regarding Devon Jordan's tuition refund, Kennedy stated that Fisher was "insistent" that she get her money back. According to Kennedy, Fisher instructed her to go to the business office to "ask for a refund on Devon's behalf." Kennedy recalled that she was told by the business office that D. Jordan was not eligible for a refund because it was outside the seven-day policy. Kennedy stated that she informed Fisher of the seven-day policy. According to Kennedy, it was not until later that she learned Fisher received the refund.

When asked about the e-mails she sent to McGraw Hill, Kennedy stated that Fisher instructed her to request free course textbooks and instructor manuals for the courses D. Jordan was taking at ATC. Kennedy stated that Fisher did not want D. Jordan to pay for his books. Kennedy does not recall if Fisher ever received the books.

We asked if she was aware that John Shinall was Fisher's son-in-law. Kennedy responded, "Rhonda's married to Coach? Dr. Fisher never told me that." Kennedy stated that Shinall would "come around" at night, but she never knew he was her son-in-law. When asked if she was aware of a relationship between Fisher and Wells, Kennedy stated that Wells would "flirt" with Fisher on occasion, but she was not aware of a relationship between the two.

Procurement Invoices of Dr. Audrey Fisher

Based on previously stated allegations of improper procurement practices, OIG requested Fisher's procurement invoices from 2003 to 2005. A review of her invoices revealed that she routinely used the correct descriptions when ordering items needed in her department. However, in April 2004, Fisher requested an "Information Maintenance System for Educational Training" for \$399.00 and a "Handheld Data Retrieval System" for \$99.00. We could not locate these items in the procurement book using the description on the invoice.

OIG contacted Office Depot regarding the item numbers used on the invoice. We learned that the "Information Maintenance System" was actually a Palm Tungsten C. Handheld. The "Handheld Data Retrieval System" was also listed as a Palm Handheld.

When questioned about the discrepancies, Kennedy stated that Fisher instructed her "to use certain terminology other than Palm Pilot because she did not want to be questioned about the order." When asked why Fisher needed a Palm Pilot, Kennedy stated, "I don't know why she needed a Palm, she can't even use her computer." When asked why Fisher ordered two Palm Pilots, she stated that Fisher told her she could order one for herself. Kennedy stated that her Palm Pilot was at home, and that Fisher's Palm Pilot was in her office. When asked about the Apple I-Pod, Kennedy stated that Fisher had requested an I-Pod, but the request was denied.

Interview with Dr. Audrey Fisher, Evening Director, ATC

On March 23, 2005, the OIG met with Fisher at DTAE to discuss the allegations made by Grailyn Wells. Prior to the start of our interview, Fisher stated that she was "very unhappy with the way the IG has handled this investigation, but I am willing to speak with you to clear up this mess." Fisher stated she met Wells when he was a security guard at ATC. As the Evening Director, she stated she had to "interface with him quite a bit in the evenings."

When asked if she had a romantic relationship with him, she stated, “We had a relationship that was not romantic. It was not intimate. I worked with him, counseled with him. But that was the extent, extending Christian love to him.”

When asked why he would use her address on his Georgia driver’s license, she stated, “I don’t know anything about it. I didn’t give him permission to use my address.” She stated that she was also not aware that he received mail at her home. Fisher could not explain why Wells used her daughter’s address while employed at DTAE.

When asked why Wells’ name was on the cable bills for service at her home, Fisher stated, “He was in between places and said that he had a real deal on his Comcast, and so he transferred his Comcast to my house.” However, in a later interview with this office, Fisher stated that she was not aware “until after the fact” that he had transferred his cable to her residence.

When asked about the checks Wells paid her, Fisher stated that she had made him several loans because “he was desperate.” Fisher also recalled that on two separate occasions Wells called her in Jacksonville and asked her to wire him some money into his account “because he was having problems.” Fisher also stated that he was “paying her back” for items that he was storing in her garage and for “things he bought from me.”

When asked to specify the items Wells purchased from her, Fisher stated, “I’m not sure, all kinds of household things. He is a liar and I resent all this. He’s a damn liar. I was not his enemy, I helped him.” However, when asked whether their loan agreement was in writing, Fisher stated, “I thought he was honest, and I didn’t think about an agreement.”

When asked why Wells moved his furniture to her residence in July 2003, Fisher stated, “[He] did that all without my knowledge. He did those things very aggressive and I was not informed until after that was done.”

When asked how Wells was able to get a job at DTAE, she stated, “I don’t know. I told him to follow protocol. I could not recommend him for a job with my sister.” Fisher denied helping Wells with his resume. In fact, she claimed she had never seen his resume. When asked if she had discussed Wells’ “aggressive behavior” with her sister, she stated, “Let me tell you what was going on. My baby brother was sick from the first of 2003 until the time that he died in June. I could not think about anybody else even. I was all over the board. No, I didn’t have time to talk about him, a job that was never discussed with me.”

Fisher denied that Wells met her sister in Jacksonville, Florida. However, when presented with copies of Wells’ credit card receipts indicating that he was in Jacksonville during the first week of May, she stated, “He was not with me, and I don’t know why he would have been there.” Later in her interview, Fisher admitted that Wells had accompanied her to Jacksonville on occasion.

When asked if she had hired her son-in-law, John Shinall, at ATC, Fisher stated that she did, but that he was not her son-in-law at the time of his hire. Fisher stated that she hired him based on her daughter's recommendation. Fisher admitted that she did not inform anyone at ATC that he was her son-in-law because, "I never had any reason to." However, she admitted that as the interim chair she was "responsible for him for about a year-and-a-half."

Based on her own statements, Fisher violated ATC's policy on Nepotism. The policy states the following:

No individual shall be employed in a department or unit, which will result in the existence of a subordinate-superior relationship between such individual and any relative of such individual through any line of authority. As used herein, "line of authority" shall mean authority extending vertically through one or more organizational levels of supervision or management. For purposes of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and **any in-law** of any foregoing.

When informed that Shinall used her address on his W-4 forms with Dekalb County in 1995 and 1998, she stated, "I don't know why he was using my address. I didn't know him then." However, in a later interview, Fisher claimed that her daughter, Rhonda Jordan, had given Shinall permission to use her address without her knowledge.

When asked if she checked Shinall's credentials, she stated that it was not her responsibility. Fisher recalls that Joni Williams, who was then the Director of Personnel at ATC, informed her that he was eligible to teach. However, later in her interview, Fisher stated that she checked "generally with Dekalb County and what he qualified for as per the requirements of ATC." She stated that she also reviewed his transcripts and that he was quite "efficient in mathematics and that is the area that we first brought him in." She also stated that after interviewing him, she felt he could teach "psychology as well." Our investigation revealed that during the course of his academic career, Shinall took two basic math courses and two psychology courses while at Jackson State.

Our investigation also revealed that according to ATC policy, instructors must meet qualification guidelines for their respective disciplines. Specifically, that instructors for the general core or developmental studies curriculum (English, math, psychology and sociology) must have a Master's degree in the discipline or have attained the equivalent of at least eighteen semester hours in that discipline.

When asked about the tuition refund she submitted on behalf of her grandson, Devon Jordan, Fisher stated she could not remember the details. However, she later admitted that she had requested a refund on behalf of her grandson because he was "discouraged" about his classes at ATC. She claimed that she was not aware of the seven-day refund policy. When asked how she received the refund in light of the policy, she stated, "I just submitted the paperwork."

When asked about the Palm Pilot procurement issue, Fisher stated, “What’s a Palm Pilot?” However, she later admitted that she had her secretary order two Palm Pilots, because she needed them for “researching awards.” She denied telling Kennedy to manipulate the wording on the actual procurement.

On March 31, 2005, Fisher consented to a second interview with our office. Her attorney, Ed Adams, accompanied her this time. We informed her that we had discovered non-state related documents on her secretary’s computer pertaining to Titan Construction and certain questionable e-mails. Fisher admitted that she had Kennedy type “some things for her,” but it was never on state time. She stated that Kennedy always used her break time to work on her personal documents. Fisher stated that to show how “appreciative” she was, she always paid Kennedy for her work.

During this second interview, Fisher admitted that she had requested books and instructor manuals from McGraw Hill “to help Devon.” Our investigation revealed that Fisher’s position as Evening Director was not a teaching position, and therefore, she should not have been requesting the instructor manuals.

IV. CONCLUSION

The Office of the Inspector General appreciates Commissioner Vollmer’s invitation to investigate and report on the issues discussed above. His willingness to cooperate with the OIG’s investigation, which necessarily included open access to his Department and the attendant disruption, is a tribute to his interest in operating a transparent agency.

The dominant concern illustrated by the OIG investigation is that Dr. Jean Devard-Kemp and Dr. Audrey Fisher were able to act in a highly irresponsible and obvious manner, without check. The subordinates interviewed seemed to have a sense that their superior’s actions were inappropriate; however, there was no outlet to raise their concerns.

As is clear from the report above, the OIG found Devard-Kemp’s and Fisher’s account of the events incredulous. It is clear from our investigation that Devard-Kemp abused her position and the trust placed in her by the Department. Devard-Kemp knew that Grailyn Wells was unqualified for his position. Her response that it was not her responsibility to confirm Wells’ qualifications rings hollow in the face of established policy indicating the contrary. Devard-Kemp’s inquiries of her subordinates and the suspicious addition of hand-written notes to Wells’ personnel file after the fact appear to be consistent with a guilty conscience.

Likewise, Fisher abused her position of trust to enable her boyfriend, Wells, and her son-in-law, John Shinall, to acquire jobs and earn a salary for which they were clearly unqualified. Fisher’s receipt of payments from Wells is highly suspicious, given that they began when Wells started working for the Department. The credible facts indicate that Fisher and Devard-Kemp conspired to hire Wells and

that Fisher benefited directly from his hire. It is also highly suspect that Wells' employment ended when his relationship with Fisher ended. The claim that this was mere coincidence is unlikely.

Similarly, Fisher's hiring of Shinall is also questionable. Especially, given that his resume was a complete fabrication. Like her sister, Devard-Kemp, it was Fisher's responsibility to verify the accuracy of Shinall's resume. Fisher's statement that she did not know Shinall before she hired him is disingenuous, especially since Shinall married her daughter less than a year after being hired at ATC.

The OIG's interview with Shinall revealed that he also had a guilty conscience. Shinall pleaded ignorance on all substantive issues, such as why and how he could teach subjects for which he had no background or qualifications. Shinall admittedly did not have the experience necessary to handle the courses that he taught. An issue that the OIG has not investigated, but may be of interest to ATC, is whether the students enrolled in Shinall's classes received the full educational benefit of those classes, given his lack of certification.

Fisher also abused her authority regarding the procurement of the Palm Pilot. The facts surrounding the purchase are highly suspicious. The procurement form contained inaccurate language that disguised the true nature of the purpose. Our investigation indicated that this was purposeful.

Finally, Fisher further abused her position by asking her secretary to do personal non-stated related work on state time, using state resources. By virtue of her position as a Supervisor, Fisher placed her secretary, a subordinate, in an awkward position. Our interviews indicated that Fisher's secretary had a sense that her actions on behalf of Fisher were inappropriate, but that she had no choice but to abide by Fisher's request because she "needed her job."

It is imperative that this report convey that Wells was not an innocent party. Wells knew all along that he was not qualified for his position. Yet, he took the job because it was "like Christmas in July." He readily admitted that he did not have the qualifications commensurate with the job. In fact, Wells still believes that he is entitled to keep his position, which is why he lodged his complaints. The only reason that Wells made these allegations known was out of a spirit of vengeance. Wells was a willing co-conspirator and, therefore, should not benefit from his bad acts. Had Wells' employment remained the same, these allegations may never have surfaced.

V. RECOMMENDATIONS

The OIG makes the following recommendations to the Department of Technical and Adult Education and Atlanta Technical College. The OIG requests that DTAE provide a written response regarding the implementation of these recommendations within 30 days of the issuance of this report.

1. Terminate Dr. Jean Devard-Kemp, Dr. Audrey Fisher, and Mr. Grailyn Wells.
2. Develop a better system of communication between Human Resources and Administration regarding management and employment issues. The Hiring Manager must forward all resumes of perspective employees to HR for inclusion into the recruitment file and subsequent personnel file. While management should make the initial decision regarding hires, Human Resources should check references and confirm education and employment history. Specifically, Human Resources should call references and former employers and document their findings in a memorandum. If a problem is uncovered, HR should notify the Hiring Manager immediately.
3. Develop a better system of checks and balances between Human Resources and Hiring Managers to ensure that hiring procedures are followed in a manner that does not create an impression of favoritism or preferential treatment. In addition, all new hires should be required to sign a sworn statement confirming that the new hire is familiar with the Department's anti-nepotism policy and that, to their knowledge, the new hire is not related to anyone within the Department. This statement should be included in the personnel file.
4. Require official academic transcripts for both hourly and salaried employees. This should be an absolute requirement given that this is an academic Department. It is imperative that all new hires are fully qualified and certified to perform their job duties.
5. Require perspective employees, whether hourly or salaried, to provide official academic transcripts to HR. This will confirm professional education as referenced on the applicants' resume and/or state application. The agency should not accept copies of transcripts without official seals.
6. Require Hiring Managers to provide HR with documentation in support of an applicant's qualifications before being hired. Job descriptions should be prepared and filed prior to the interview of any candidate.
7. Develop better communication between the Business Office and the Registrar's office. Specifically, if either detects potential irregularities in

student accounts, there is an inherent duty to work together to resolve the issue.

8. Require all technical school employees to be knowledgeable of, and comply with catalog rules and established policies to ensure effectiveness and performance accountability.
9. Remind all employees of the state's policy on the "Appropriate Use of Information Technology Resources" (Reference GTA Policy Number 3.1.3). In addition, employees may not conduct private or personal for-profit activities using state facilities and equipment.

VI. REFERRAL

As a result of our findings, we are forwarding a copy of this report to the Attorney General's Office for their review and any action they deem appropriate.